

Paper No. 599  
Disposes of  
Papers Nos. 558 and  
560, in part only.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al	} ORDER: } THAT FACILITIES TO INTERVIEW } OR INTERROGATE IN WRITING } CERTAIN WITNESSES REQUESTED } BY THE ACCUSED OSHIMA BE } PROVIDED; AND FOR THE PRO- } DUCATION OF DOCUMENTS.
- vs -	
ARAKI, Sadao; et al	

This matter coming on to be heard on this 20th day of November, 1946, before The Honorable Sir William Webb, President of the Tribunal, upon the applications of OSHIMA, Hiroshi, one of the defendants herein, for the production of witnesses and documents necessary to the defense of said OSHIMA, Hiroshi, in accordance with the provisions of Section III, Article 9, Paragraph (e) of the Charter, the names of said witnesses and the description of the documents being fully set forth in said applications, which are Papers Nos. 558 and 560; and after hearing the statements and arguments of Counsel for the said OSHIMA, Hiroshi, and the Tribunal being fully advised in the premises, it is

ORDERED: That each of the following named persons, all of whom are Japanese nationals and may be located within the territorial limits of Japan, be produced or required to present himself at the time and place directed by the General Secretary of the Tribunal for interrogation by Counsel for the accused OSHIMA to determine if his presence will be required at a later date to testify on behalf of the said OSHIMA:

1. ARITA, Hachiro;
  - (a) The nationality of the witness is Japanese;  
His address is Tokyo, Shibuya-Ku, Yoyogi Nishihara;
  - (b) This witness was Foreign Minister from 1936 to 1937, Political Adviser to the Foreign Office 1938, Foreign Minister 1939 and 1940.
2. MUSHAKOJI, Kintomo;
  - (a) The nationality of the witness is Japanese;  
His address is Tokyo, Shibuya-Ku, Harajuku, 3 Chome;
  - (b) This witness was Ambassador to Turkey 1933 to 1934. He was Ambassador to Germany 1934 to 1937 and concluded the Anti-Comintern Pact.
3. WAKAMATSU, Tadaichi;
  - (a) The nationality of the witness is Japanese;  
His address is Tokyo, Kitatama-Gun, Musashino-Machi, Kichijoji;
  - (b) This witness was Vice-Minister of War in 1945, Chief of German Sub-Section, GHQ, in 1935 and 1936 at the time when the defendant OSHIMA was Military Attache in Germany.
4. KASAHARA, Yukio;
  - (a) The nationality of the witness is Japanese;  
His address is Kanagawa Prefecture, Ashigara-Shimo-Gun, Shimo-Nakamura;
  - (b) This witness was chief of the Russian Section of GHQ 1936-1937 and was sent to Berlin as an assistant to OSHIMA when he was Military Attache in Berlin in 1938.



5. KAWABE, Torashiro;
- (a) The nationality of the witness is Japanese;  
His address is Nagoya, Higashi-Ku, Higashi-Sotobori-Cho, c/o Takano;
  - (b) This witness was Military Attache to Germany from 1938 to 1940, succeeding OSHIMA when he became Ambassador.
6. YOSHINAKA, Kazutaro;
- (a) The nationality of the witness is Japanese;  
His address is Tokyo, Setagaya-Ku, Kitazawa;
  - (b) This witness was Section Chief of GHQ Intelligence in 1936-1937 and had direct supervision over the White Russian Counter-Intelligence System in Germany.
7. USAMI, Uzuhiko;
- (a) The nationality of the witness is Japanese;  
His address is Tokyo, Nakano-Ku, Honcho-Dori;
  - (b) This witness was Consul-General in Geneva 1937-1938. He was Counsellor of the Japanese Embassy in Berlin 1938-1940.
8. TAKEUCHI, Ryuji;
- (a) The nationality of the witness is Japanese;  
His address is Hokkaido, Sapporo;
  - (b) This witness was Secretary of the Japanese Embassy in Berlin 1938-1939.
9. SAITO, Ryoei;
- (a) The nationality of the witness is Japanese;  
His address is Tokyo, Shibuya-Ku-, Shoto;
  - (b) This witness was Political Advisor to the Foreign Office from August 1940 to July 1941.

10. OHASHI, Chuichi;  
(a) The nationality of the witness is Japanese;  
His address is Gifu Prefecture, Hajima-Gun,  
Koguma-Mura;  
(b) This witness was Vice Foreign Minister under  
Matsuoka.
11. MATSUMOTO, Shunichi;  
(a) The nationality of the witness is Japanese;  
His address is Tokyo, Meguro-Ku, Sanya, 80;  
(b) This witness was Director of the Treaty Department of the Foreign Office 1940-1942.  
He was Foreign Minister from 1942 to 1944.
12. NOMURA, Naokuni;  
(a) The nationality of the witness is Japanese;  
His address is Tokyo, Sotagaya-Ku, Kitazawa;  
(b) This witness was the Japanese member of  
Military Commission in Berlin 1940-1943. He  
was Navy Minister in 1945 in Koiso Cabinet.
13. YOKOI, Tadao;  
(a) The nationality of the witness is Japanese;  
His address is Wakayama Prefecture, Tanabe-shi,  
Honcho;  
(b) This witness was Naval Attache 1941-1943 in Berlin.
14. KOMATSU, Mitsuhiro;  
(a) The nationality of the witness is Japanese;  
His address is Kochi Prefecture, Kami-gun,  
Yamada-mura;  
(b) This witness was Military Attache in Berlin  
1941 to 1945.



15. KAWAHARA, Shunichiro;  
(a) The nationality of the witness is Japanese;  
His address is Kanagawa Prefecture, Kamakura,  
Nikaido;  
(b) This witness was Secretary of the Japanese Embassy  
in Rome 1930-1940; Counsellor of the Japanese  
Embassy in Berlin 1940-1945; In charge of the  
over-all political matters and information.  
Second position to defendant OSHIMA.
16. UGAKI, Kazushige;  
(a) The nationality of the witness is Japanese;  
His address is Shizuoka Prefecture, Izu-Nagaoka;  
(b) This witness was Foreign Minister in 1938.
17. HIGUCHI, Kiichiro;  
(a) The nationality of the witness is Japanese;  
His address is Tokyo, Setagaya-Ku, Tamagawa,  
Denyen-chofu;  
(b) This witness was Chief of the Second Division  
of GHQ 1938-1940.
18. ARISUE, Seizo;  
(a) The nationality of the witness is Japanese;  
His address is Tokyo, Setagaya-Ku, Matzubare-cho;  
(b) This witness was Military Attache in Italy  
1936-1939; Chief of the Second Division of  
GHQ 1942-1945, directly supervising all the  
Military Attaches of Japan.
19. KARAKAWA, Yasuo;  
(a) The nationality of the witness is Japanese;  
His address is Tokyo, Suginami-Ku, Ogikubo;

(b) This witness was Chief of the Counter-Intelligence Section of GHQ 1937-1939 and 1940.

20. HARA, Shiro;

(a) The nationality of the witness is Japanese;  
His address is First Demobilization Bureau,  
Tokyo;

(b) This witness was a member of 20. Section of  
GHQ (War Policy) 1940-1942.

21. KOTANI, Etsuo;

(a) The nationality of the witness is Japanese;  
His address is Hamaguchi Prefecture, Saba-gun,  
Nigita-Mura;

(b) This witness was Chief of 20. Section  
of GHQ (War Policy) 1942; Assistant Military  
Attache in Germany 1943-1945.

It is further ORDERED: That every facility and assistance be provided to Counsel for the accused OSHIMA to submit written interrogatories to or verbally interrogate each of the following named persons at the place where said person is now located and held:

1. SALGO, Jugo;

(a) The nationality of the witness is Japanese;  
He is now in Shanghai, a prisoner of war;

(b) This witness was Chief of the German Sub-Section  
of GHQ 1938-1939; Assistant Military Attache in  
Berlin 1941-1943, especially attached to OSHIMA  
from the Military Attache's Office.

2. General OTT, Eugen;

(a) The nationality of the witness is German;  
He is now in Peking;



- (b) This witness was Ambassador to Japan 1938-1943.
3. FISCHER
- (a) The nationality of the witness is German;  
He is now believed to be in Shanghai;
- (b) This witness was German Consul in Shanghai 1935-1945.
4. NAKAJIMA, Tetsuzo;
- (a) The nationality of the witness is Japanese;  
He is now in Sumatra, N.E.I.
- (b) This witness was Vice Chief of Staff, December 1937 to September 1939.
5. MANAKI, Yoshinobu;
- (a) The nationality of the witness is Japanese;  
He is now a prisoner of war in French Indo-China;
- (b) This witness was Chief of the German Sub-Section of GHQ 1936-1938; Assistant Military Attache in Germany 1938-1939.
6. BOLZE, Dr. Erich;
- (a) The nationality of the witness is German;  
His address is Hamanashi Prefecture, Kawaguchi;
- (b) This witness was Counsellor of the German Embassy in Japan 1938-1941 (when Ott was Ambassador) and 1943-1945 (when Stahmer was Ambassador). He was German Charge d'Affaires in Japan during the brief period of Ott's absence in 1941.
7. NISHIO, Toshizo;
- (a) The nationality of the witness is Japanese;  
He is now in custody in Sugamo Prison, Tokyo;
- (b) This witness was Vice Chief of Staff 1936.
8. TANI, Masayuki;

(a) The nationality of the witness is Japanese;

He is now in custody in Sugamo Prison, Tokyo;

(b) This witness was Vice-Foreign Minister 1939-1940.

9. STAHRER, Henrich Georg;

(a) The nationality of the witness is German;

He is now in custody in Sugamo Prison, Tokyo;

(b) This witness was Ambassador to Japan 1943-1945,

Liaison between von Ribbentrop and Oshima 1938 to 1941.

It is further ORDERED: That Counsel for the accused OSHIMA may submit written interrogatories to each of the following named persons listed in his application and that every facility be afforded to the said Counsel in securing the submission of said interrogatories and the answers of the witnesses thereto:

1. SCHMIDT, Paul;

(a) The nationality of the witness is German;

His address is Neurnberg, Germany;

(b) This witness was Foreign Office Interpreter for Hitler, von Ribbentrop and all major conferences during crucial period between 1935 and 1945.

2. GOTTFRIEDSEN

(a) The nationality of the witness is German;

His address is unknown;

(b) This witness was Liaison between von Ribbentrop and Oshima 1941-1945.

3. General MARSHALL, George C.

(a) The nationality of the witness is American;

He is now in Nanking;

(b) This witness was Chief of Staff, U.S. Army.

It is further ORDERED: That the applications of the accused for the issuance of a subpoena for each of the persons



named in his requests for the production of witnesses is indefinitely continued, awaiting the results and disclosures of the interrogations hereinbefore authorized and ordered, and the accused is granted permission to file a supplemental application for the issuance of subpoenas for such witnesses, selected from the list named in his original applications (Papers Nos. 558 and 560), as may be found necessary to his proper defense in this case, as a result of said interrogations.

It is further ORDERED: That the application of the accused for the production of documents is granted; and that the following documents, which may be located at the place or in the custody of the agency set forth opposite the descriptions of said documents, be procured forthwith and lodged with the Registry of the Tribunal:

<u>DOCUMENT</u>	<u>LOCATION</u>
State Department files on the internment of OSHIMA at Bedford Springs, Pennsylvania, from July 1945 to November 1945.	State Department, Washington, D. C.

It is further ORDERED: That all Prosecution documents seized in Germany and now in the files of Prosecution, which have not been used in Prosecution's case, be made available to Counsel for the accused OSHIMA for inspection and use as Exhibits.

Dated at Tokyo, Japan, this 5 December 1946.

BY THE TRIBUNAL:

Signed W. F. WEBB  
PRESIDENT